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13 UNITED STATES DISTRICT COURT  
14  
15 NORTHERN DISTRICT OF CALIFORNIA  
16  
17 SAN FRANCISCO DIVISION

16 SONOS, INC.,

17 Plaintiff,

18 vs.

19 GOOGLE LLC,

20 Defendant.  
21

CASE NO. 3:20-cv-06754-WHA  
Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN  
SUPPORT OF SONOS, INC.'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED (DKT. 585)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. 585) filed in connection with Sonos’s Notice of Lodging Presentation Slides Re the March 30, 2023 Hearing (“Sonos’s Notice of Lodging”) (Dkt. 583). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Attachment A to Sonos’s Notice of Lodging (“Attachment A”)	Portions outlined in red boxes on pages 2-10	Portions outlined in green boxes on pages 2 and 6-10	Google and Sonos
Attachment B to Sonos’s Notice of Lodging (“Attachment B”)	Portions outlined in red boxes on pages 9-24, 27, 37, 39-48, 51, 52, and 54	Portions outlined in green boxes on pages 13, 14, and 16	Google
Attachment C to Sonos’s Notice of Lodging (“Attachment C”)	Portions outlined in red boxes on pages 2-5, 9, 11, 14, 15, 18-23, and 26	Portions outlined in green boxes on pages 2-4, 9, 11, 14, 18, and 26	Google
Attachment D to Sonos’s Notice of Lodging (“Attachment D”)	Portions outlined in red boxes on pages 2-5, 12-17, 21, 22, 24, 29, 30, 32, 33, 35, 38-44, 50-51, and 53	Portions outlined in green boxes on pages 2-4, 14-15, 17, 29, 30, 32, 39-40, and 42-43	Google

4. I understand that the Court analyzes sealing requests in connection with motions for summary judgment pursuant to the “compelling reasons” standard. *See, e.g., Edwards Lifesciences*

1 *Corp. v. Meril Life Scis. Pvt. Ltd.*, No. 19-CV-06593-HSG, 2021 WL 5233129, at \*4 (N.D. Cal. Nov.  
 2 10, 2021); *Baird v. BlackRock Institutional Tr. Co., N.A.*, No. 17-CV-01892-HSG, 2021 WL 105619,  
 3 at \*5 (N.D. Cal. Jan. 12, 2021). I also understand that the Court has held that confidential business  
 4 information in the form of agreements, confidential licensing negotiations, and business strategies  
 5 satisfy the compelling reasons standard. *See Exeltis USA Inc. v. First Databank, Inc.*, No. 17-CV-  
 6 04810-HSG, 2020 WL 2838812, at \*1 (N.D. Cal. June 1, 2020). In addition, I understand that the  
 7 Court has found confidential information regarding product architecture to satisfy the compelling  
 8 reasons standard. *See Delphix Corp. v. Actifo, Inc.*, No. 13-cv-04613-BLF, 2014 WL 4145520, at \*2  
 9 (N.D. Cal. Aug. 20, 2014) (finding compelling reasons to seal where court filings contained “highly  
 10 sensitive information regarding [an entity’s confidential] product architecture and development”);  
 11 *Guzik Tech. Enterprises, Inc. v. W. Digital Corp.*, No. 5:11-CV-03786-PSG, 2013 WL 6199629, at \*4  
 12 (N.D. Cal. Nov. 27, 2013) (sealing exhibit containing “significant references to and discussion  
 13 regarding the technical features” of a litigant’s products).

14 5. The portions of Attachment A outlined in green boxes contain references to and  
 15 quotations of terms from Google’s confidential business agreements that are not public. I understand  
 16 that public disclosure of this information would harm Google’s competitive standing and its ability to  
 17 negotiate future agreements by giving competitors access to Google’s highly confidential business  
 18 thinking and asymmetrical information about Google’s collaboration strategies to other entities. If  
 19 such information were made public, I understand that Google’s competitive standing would be  
 20 significantly harmed. Google has therefore designated this information as HIGHLY  
 21 CONFIDENTIAL—ATTORNEYS’ EYES ONLY under the protective order (Dkts. 92, 94). A less  
 22 restrictive alternative than sealing would not be sufficient because the information sought to be sealed  
 23 is Google’s proprietary and confidential business information but was utilized by Sonos in the slides it  
 24 presented and provided to the Court at the March 30, 2023 summary judgment hearing. I also  
 25 understand that this Court has previously granted sealing of the same and/or similar information. *See,*  
 26 *e.g.*, Dkts. 39 at 1; 334 at 3.

27 6. The portions of Attachments B, C, and D outlined in green boxes contain references to  
 28 Google’s confidential business information and trade secrets, including source code and details

1 regarding the architecture and technical operation of Google’s products. The specifics of how these  
 2 functionalities operate is confidential information that Google does not share publicly. Thus, I  
 3 understand that the public disclosure of such information could lead to competitive harm to Google, as  
 4 competitors could use these details regarding the architecture and functionality of Google’s products  
 5 to gain a competitive advantage in the marketplace with respect to their competing products. Google  
 6 has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES  
 7 ONLY and/or HIGHLY CONFIDENTIAL—SOURCE CODE under the protective order (Dkts. 92,  
 8 94). Although Sonos’s Administrative Motion sought to seal the portions outlined in red boxes,  
 9 Google only seeks to seal the portions outlined in green in the unredacted versions of these documents  
 10 filed in connection with this Declaration. As this information was not referenced in the Court’s  
 11 Summary Judgment Order (Dkt. 566), sealing is warranted. *See* Dkt. 334 at 3 (granting motion to seal  
 12 under the compelling reasons standard in part because “the order adjudicating Google’s motion did  
 13 not significantly discuss the portions sought to be sealed”). A less restrictive alternative than sealing  
 14 would not be sufficient because the information sought to be sealed is Google’s proprietary and  
 15 confidential business information but was utilized by Sonos in the slides it presented and provided to  
 16 the Court at the March 30, 2023 summary judgment hearing. I also understand that this Court has  
 17 previously granted sealing of the same and/or similar information. *See, e.g.*, Dkt. 334 at 5.

18 I declare under penalty of perjury under the laws of the United States of America that to the  
 19 best of my knowledge the foregoing is true and correct. Executed on April 28, 2023, in San  
 20 Francisco, California.

21 DATED: April 28, 2023

22 By: /s/ Jocelyn Ma  
 23 Jocelyn Ma  
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